

## Electronic Patent Application Fee Transmittal

Application Number:	10759611			
Filing Date:	16-Jan-2004			
Title of Invention:	Installation and method for vacuum treatment or powder production			
First Named Inventor:	Johann Karner			
Filer:	Peter C. Michalos/Chih-Sheng Lin			
Attorney Docket Number:	H60-107 DIV			
Filed as Large Entity				
<b>Utility Filing Fees</b>				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	1251	1	120	120

## **REMARKS**

Claims 1-16 are in the case and presented for consideration.

At the outset, Applicants would like to thank the Examiner for clarifying the issues remaining in the application and claims, and for working with the Applicants toward an allowance.

### **Summary of Telephone Interview with Examiner**

During the telephone interview with the Examiner on April 19, 2006, prior art made of record in the January 4, 2006 Office Action were discussed in reference to the claims pending in the application. The Examiner suggested that the arrangements of the discharge axes and deposition configuration recited in claim 1 be written as separate independent claims. The Examiner also informed Applicants that the amended claims must be filed with a RCE for reconsideration, and that if a further search does not uncover any relevant art, the claims may be allowable.

### **35 U.S.C. § 103**

The Examiner has rejected claims 1, 2 and 4-8 as being obvious and unpatentable over U.S. Patent 5,340,621 to Matsumoto, et al. in view of U.S. Patent 5,753,045 to Karner, et al. Claim 3 is rejected as being obvious from this combination, taken further in view of U.S. Patent 6,015,597 to David. The Examiner's reasons for the rejection are set forth on pages 2-4 of the January 4, 2006 Office Action.

Applicants' reasons for the traversal of the rejections raised in the January 4, 2006

Office Action are set forth in Applicants' March 31, 2006 amendment, and are reasserted, as if in full, herein, in response to the rejection of the present claims. It is believed that the reasons for rejecting these claims have been overcome.

Applicants further maintain that the modification of the apparatus of Karner, et al. and Matsumoto, et al. proposed by the Examiner fails to teach, disclose or suggest the arrangement of the discharge axes and the deposition configuration as recited in independent claims 1 and 9. See, e.g., Figs. 3-6, of this application.

Since the applied references fail to teach, disclose or suggest the entire combination recited in the present claims (e.g., claims 1 and 9), the differences of the claimed invention over the prior art, which are discussed above as well as in the March 31, 2006 amendment, are believed to be unobvious. Accordingly, the application and claims are believed to be in condition for allowance, and favorable action is respectfully requested.

No new matter has been added.

If any issues remain, the Examiner is respectfully invited to contact the undersigned at the number below to advance the application to allowance.

Respectfully submitted,

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Dated: April 27, 2006

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